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ATTORNEY DOCKET NO. 10010819-1

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Boulder, Colorado 80537-0599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Theodore R. Sana

Serial No.: 10/001,688

Examiner: Joyce Tung

Filing Date: October 25, 2001

Group Art Unit: 1637

Title: COMPOSITION AND METHODS FOR OPTIMIZED HYBRIDIZATION USING MODIFIED SOLUTIONS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 02-24-2005 , rejecting the following claims 6-8, 15-24

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- | | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | one month | \$ 120.00 |
| <input type="checkbox"/> | two months | \$ 450.00 |
| <input type="checkbox"/> | three months | \$1020.00 |
| <input type="checkbox"/> | four months | \$1590.00 |

The extension fee has already been filled in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$500.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Theodore R. Sana

By

Bret E. Field for Timothy Joyce
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 04-22-2005

Telephone No. (650) 485-4310

I hereby certify that this correspondence is being deposited with the United States Postal Service as ~~express mail~~ Express mail an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 04-22-2005 OR

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Donna Macedo

Signature: 